



BUREAU OF AUTOMOTIVE REPAIR

Advisory Group Meeting

January 10, 2005



MEETING MINUTES

♦ Advisory Group Members in Attendance:

Lou Anapolsky
George Hritz
Carol Bartels
Brian Mass

Dennis DeCota
Marty Keller
Jennette Gayer

Paul Frech
Jack Molodanof
Randy Ward

♦ BAR Staff in Attendance:

Richard Ross
Allen Wood
Cindy Wymore
Rich Mundy

James Goldstene
Jim Allen
Paul Hedglin

Mike Vanderlaan
Wayne Ramos
Judy Cabral
Sue Rosenblatt

♦ Welcoming Remarks:

Richard Ross - BAR Chief conducted the meeting, which was called to order at 9:38 a.m.

Chief Ross introduced Shelly Levy, the new Executive Director of the Automotive Service Council (ASC), Mike Vanderlaan, newly appointed Deputy Chief of Smog Check Engineering & Operations Division, Wayne Ramos as Acting Program Manager for I/M Field Operations at headquarters, and all other BAR staff present. Chief then called the role of the Committee members.

The minutes from the last BAG meeting were reviewed and commented on. Timely distribution will be a goal.

♦ Chief's General Update:

Current activity with DMV is underway to implement new legislation affecting Smog Checks of the fleet.

Implementation of the vehicle retirement began 9/04. The goal of the vehicle retirement/vehicle repair assistance programs is to impact as many vehicles as possible. BAR plans to promote the programs by focused outreach efforts; \$500 per retired car is the current payment.

Federal vehicle donation rules have changed reducing the tax deduction benefit. This may result in more vehicles retired through the CAP program.

The Chief will continue outreach events this week; he will visit BAR's field office, speak with the ASC Chapter, and hold a roundtable discussion with industry, all in Fresno.

Licensing Division Upgrade – BAR is analyzing the application, renewal, and cashiering processes to make them as efficient as possible. Current application time can be as little as 2 days, if application is complete and has no investigative holds.

The Smog Check Engineering Division high priority is a new electronic transmission system development.

Mojave area will go enhanced April 2005. This new enhanced area will include Hesperia, Victorville and Apple Valley areas only. It does not include Barstow. It impacts 156,000 vehicles and 200,000 residents.

♦ Agenda Item:

- **Advisory Notice Update:**

Pilot project ended December 15, 2004. BAR has now switched back to the verbal notice only, while BAR analyzes the pilot program data.

Basic data through November of 2004:	9,688	complaints
	3,168	with violations
	2,841	preferred verbal notice
	327	preferred written notice

Overall data base and survey responses will now go to analytical phase and will be to the Chief by March. The information will be presented to the Committee at the next meeting. An advisor commented that he wants to make recommendations before BAR makes the Advisory Notice 'permanent' and the notices becomes public record.

An Advisor member asked that out of 3100 violations, how many were serious?

Rich Mundy, Enforcement Deputy, stated that we will have to wait for the final numbers, however he is confident that most of the violations are of a 'minor' nature.

An advisor member stated that he's heard there is a difference between explanations given by the PRIs, as to the verbal or written notice. Some PRIs ask "do you want a written notice to go in your file with the BAR or do you just want a verbal notice?" Most people want nothing put in their file, so verbal notices are the preferred method. The shop owners need more clarity on the difference between verbal notice vs. written notice.

Rich Mundy commented that the PRIs were given the Advisory Notice letter from which to quote their explanations. He also clarified that now that the Pilot Project is over, the PRIs will be giving 'verbal notices' **only**. A notation will be made in the complaint report that goes into the ARD's file.

There is still the question of ARD files being made public records. Can public records be created from the file? Can public records be created on the Internet? Are formal disciplinary actions still being made public? To the latter question, the BAR Chief said yes.

A public attendee asked what length of time the complaint records are kept in the ARD's files. Mundy said 3 years, and then they are purged.

A public attendee stated that the State BAR and Contractor's State Licensing Board don't put disciplinary actions on-line.

James Goldstene, BAR Deputy Chief, stated that different boards and bureaus determine where in the complaint and investigation process they make information publicly available.

An advisor thanked BAR for being willing to do the Advisory Notice pilot project. He commented that some facts actually turned out differently than expected, and wouldn't have been noticed had the pilot project not been done. Working together can create good results to benefit all.

♦ **Agenda Item:**

• **Presentation on Formulas Used to Direct Vehicles to Test Only Stations:**

The BAR Chief said the formula utilized is the same as in past years; 36% of the total state vehicle fleet consisting of vehicles subject to inspection each year in the biennial program that are registered in the enhanced area.

The number of vehicles is 20,356,100 based upon 10/31/04 snapshot of DMV vehicle table. The number is divided by 24 months, which equals 305,342 per month. Mojave area will be excluded from this calculation through 2005.

Advisor comment: More people go to Test-Only than are directed, consequently more than 36% go to Test-Only.

Advisor comment: Over half at Test-Only are volunteer customers. In early years EPA and Consumers reacted to Test and Repair measurements and legislation created Test-Only to create a measurement opportunity. Consumers believe they get good results at Test-Only.

Advisor asked if BAR would make public comment on IMRC Report. BAR Chief said yes.

Public comment: The percentage of Test-Only is greater than 36% of the fleet, because of the exceptions to the biennial testing which now include 1999 to 2005 model years.

What percentage of directed vehicles are tested per month?

BAR's Response: The information is included in the public Annual Report and will be provided at next meeting.

An Owner did 60 smogs last month and only 11 this month. Are vehicles in enhanced areas directed by county or Zip Code? Does BAR direct more than 36% in a Zip Code?

BAR's Response: Not more than 36%.

Public attendee stated gross polluters are only 1% of the fleet but there are 350 Test-Only stations and that is not 36%.

BAR's Response: 36% are directed and the rest of the public has a choice.

Public attendee asked if cars 10 years and older are sent to Test-Only?

BAR's response: Formula focuses on high emitter profiles.

Owner said he had done 4000 smogs per month and now only does 1600 now, due to Test-Only directed vehicles.

Owner said his cost of the equipment needed to do smogs, the area of shop space and cost of the

technician to run equipment isn't paying for itself because of Test-Only directed vehicles. He advertises to get consumers to come to him, only to have to turn away 14 out of 17 vehicles every day because of Test-Onlys.

A Test & Repair shop owner in the audience said he became a CAP station, and it has helped his business income.

An owner said "1976 – 2000" is an accurate fleet number from which to calculate the 36%, however BAR's math is wrong. BAR needs to give Test and Repair a chance – without the Government sending most of the cars to Test-Only.

An advisor asked what the number is – 6 years and newer – in the fleet? He would like the number of vehicles needing a smog in the 5-6 year category, per month, because of a change of ownership.

A person asked, does BAR have any intention of going back to the "reality" number the State Transportation Committee said, which was originally 5%?

The Chief stated BAR would continue to apply the law. He was not aware of the 5% stated by State Transportation.

The Chief wants the audience to know that he feels it is worth their time to come to any public meeting – to voice their opinion and be a part of what might change the law.

◆ Outreach Update:

Cindy Wymore, BAR Communications Director, said that BAR is promoting a new outreach campaign called "Breathe Easier". She showed three public service announcements to be aired in the next few months. The theme of the "Breathe Easier" campaign is to link air quality to health impacts. The Chief said the purpose of this campaign is to communicate why and how each of us can help improve air quality for our children, as well as for ourselves.

The audience commented that the CAP Program wasn't mentioned and especially information about the Vehicle Retirement Program starting up again (\$500 per car).

Wymore said public service announcements are played at the TV station's discretion.

Advisor Comments: Maybe a sub-committee needs to be created to help leverage the reach of the campaign, like asking shops to run the PSAs in customer waiting areas.

Another message that would be good is maintaining your car saves you money in the long run.

◆ Update on Sub-committee on General Automotive Repair Technician:

BAR has held two Sub-committee meetings. The Sub-committee hopes to have positive impact on technician's availability and competency. The more competent the technician, the more respected the business is. This issue not only effects the automotive industry – it effects all trade industries.

BAR Chief said Industry and Consumers need a stronger voice regarding better education designed to prepare future automotive technicians. The goal of the Sub-committee is to improve overall quality of repair in California.

The Sub-committee discussed what is causing the mindset on technicians and how we can improve knowledge and education in this type of business. Educational establishments need to be more

aware of the need for better education in this industry. Suggestions were made about setting a Code of Ethics, with Industry encouraging technician's compliance with higher standards. BAR would like to gather information on education in private sector from the Committee, George Adelsperger from BAR will collect it.

About 50% of the complaints filed with BAR suggest a lack of competency. Maybe there should be different levels of knowledge/competency among technicians.

Sub-committee has not yet made a determination that techs need to be licensed by different standards.

Advisor Comments:

Licensing or certification can't stop the ARD's ability to bring in someone to be trained hands-on and moved along through levels of competency.

Statements made by audience general regarding competency of technicians:

- There is an acute shortage of auto repair technicians for the number of cars that need to be smogged. The level of competency needs to be raised.
- Audience participant asked, "Is there a problem with the technician's competency when a car isn't fixed correctly?" BAR said, "A violation of the law MAY NOT equate to incompetency."
- By opening Test-Onlys, the State is saying Test & Repair stations aren't good enough.
- Students today are totally different than 20 years ago – ethics included.
- Do we need a certification program for technicians?
- Trades need to be brought back into high schools.
- Shortage of technicians now – will labor pool shrink if we upgrade standards for technicians?
- Standards – require textbook only, no "hands on" required.
- Public Hearing was held by fact finding Committee on Post Secondary Education – Mandate – Dept. of Education set standards for vocational education.
(www.sonoma.edu/chis/ete)

♦ **Adjourned for 10 minute break – 12:15 PM. Reconvened at 12:25 PM.**

♦ **Fuel Evap. Testing – Demonstration of the Prototype Equipment:**

BAR Chief introduced Paul Hedglin, Acting manager of Equipment Certification, Smog Check Engineering and Operation. Mr. Hedglin gave a demonstration of a prototype Fuel Evaporation Testing system under development. The equipment compensates for differing temperatures and tank size that can occur affecting the ability to measure. This testing relates to pre-1996 vehicles. The test can take 2-6 minutes.

BAR responded to numerous questions, some of which are captured here: that this new prototype is used to show leak data and also finds where the leak is. This data allows for measurement of 'tonnage' of pollution reduction. This device compensates for temperature – smoke generators don't

do this. The cost of the equipment right now is \$2,500 and the maintenance package is separate. No additional computer is needed however. Paul responded that it is not sensitive to electrical spike and should not require a GFI. The test can't be run simultaneously with the analyzer and it should be run before or after the regular test. The tester will be compatible to BAR-97 platform. The ARD will pay for update of this along with other updates as needed. The Evaporative Testing machine can be used with more than one analyzer.

BAR acknowledged that old cars with brittle hoses can be damaged by the hose-crimping device. A beta testing is going on in the Sacramento area.

BAR staff said this machine will measure leakage and this is to help meet air quality requirements. The equipment specification is a public document containing BAR performance requirements that may be helpful to other interested equipment manufacturers.

Public comment: Why can't BAR come up with a machine to test other evap leaks? There is a smoke leak tester that some ARDs use currently and it works – even finds where the leak is. Participant suggested that BAR needs a machine that can be used for other things besides emissions. Concern was expressed over how much ARDs are going to have to spend for this equipment, that California is putting the load on its industry. Also asked why can they use something existing or developed by other States.

The BAR Chief said the concept of implementing this machine's use is still in development stage. BAR's lab is testing and revising the equipment to be sure it actually does what it is supposed to do. Discussion of the Evaporation Testing Concept and about this equipment package will occur in open forum, including all issues and comments from today and more. Public interaction and comments are truly important to BAR and you should encourage your counterparts to participate in these discussions by attending these meetings.

◆ **Ombudsman Update:**

Ombudsman Rick Fong was unable to attend but advised the BAR Chief there were no complaints and 6 phone questions only. Most of these calls relate to DMV activities – when the consumer can't get through to DMV!

◆ **Agenda Items Raised for Future Meetings:**

- ✓ Enforcement Monitor.
- ✓ Discussion of "odd type" of vehicles to be smogged (i.e., 4-wheel drive, hybrid, motorcycles, etc.).
- ✓ Discuss streamlining the CAP station payment type, such as using credit cards.
- ✓ Referee update.

◆ **Announcements**

"California Automotive Teachers" announced the Teachers of Automotive Techs Conference, at College of Marin; April 22-23, 2005. There will be seminars and work shops for training trainers.

◆ **Meeting Adjourned 1:28 PM**

◆ **Next Meeting Date**

April 11, 2005